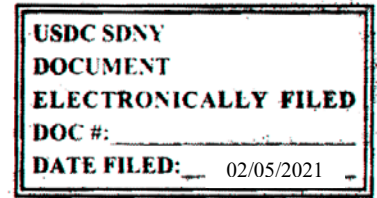


**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**



-----X
LUCILLE TIRADO,

Plaintiff,

19-CV-10377 (LAK)(SN)

-against-

ORDER

CITY OF NEW YORK, et al.,

Defendants.
-----X


SARAH NETBURN, United States Magistrate Judge:

On January 25, 2021, the Court received via email, and later via mail, a letter from the New York State Commission of Correction (the “Commission”) along with records relating to the death of Eugene Castelle. The Commission had been served with a subpoena in connection with this case seeking such records. The Commission asserted that due to the content of these records, they were protected under New York Mental Hygiene Law § 33.13, and that such information should not be disclosed except in limited circumstances, such as when a court requires the disclosure of such records. The Commission noted, however, that “[s]hould the Court make a finding pursuant to Mental Hygiene Law § 33.13(c)(1), the Commission would have no further objection to the proposed order and release to the requested party.”

After reviewing the records, the Court finds that there is a substantial need for the parties in this case to have access to the Commission’s records regarding Eugene Castelle’s death. Accordingly, the Court finds that the interest of justice significantly outweighs the need for confidentiality and ORDERS the Commission to produce the relevant records to the parties in

this case. N.Y. Mental Hyg. Law § 33.13(c)(1) (McKinney 2020).

SO ORDERED.



SARAH NETBURN
United States Magistrate Judge

DATED: February 5, 2021
New York, New York